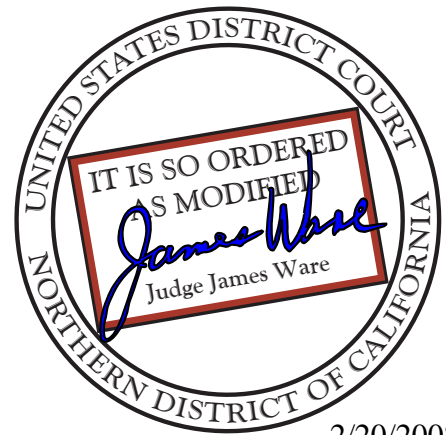


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5 Attorneys for Defendants  
6 ROBERT WERRA and JOHN WERRA



2/20/2008

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

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12 21X CAPITAL LTD. and DAVID A.  
BREWER,  
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14 Plaintiffs,  
15 v.  
16 ROBERT WERRA and JOHN WERRA,  
17 Defendants.  
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Case No. C06-04135 JW (HRL)

**STIPULATION AND [PROPOSED]  
ORDER EXTENDING HEARING DATE  
FOR DISPOSITIVE MOTIONS**

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Defendants intend to file a motion for partial summary adjudication on the narrow issue of choice of law—Texas or California.

Due to recent staffing changes within Defendants' legal team, the Defendants need an extension of time to file their motion, which, in turn, would require the Court to extend the last date to hear dispositive motions.

Due to various scheduling conflicts, the next available hearing date that works for both parties is April 14, 2008.

For the foregoing reasons, the parties, through their undersigned counsel, stipulate and agree to extend the last date for hearing dispositive motions from March 24, 2008 to April 14, 2008.

Dated: February 15, 2008

By: /s/ Khari J. Tillery  
KHARI J. TILLERY  
Attorneys for Plaintiff  
Robert Werra and John Werra

1 Dated: February 15, 2008


ROGERS JOSEPH O'DONNELL

2  
3  
4 By: /s/ Thomas H. Carlson  
THOMAS H. CARLSON  
5 Attorneys for 21x Capital Ltd. and David  
A. Brewer  
6

7 **\*\*\*\* ORDER \*\*\*\***

8 The parties' request to continue the Last Date to Hear Dispositive Motions does not impact the  
9 previously set Close of Discovery deadline set for February 29, 2008. The Court previously  
10 modified the June 12, 2007 Scheduling Order on February 8, 2008 that advanced the Preliminary  
Pretrial Conference from June 2, 2008 to February 25, 2008. The parties' shall notice and file  
any dispositive motions according to the Civil Local Rules.

11 Dated: February 20, 2008

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14 THE HONORABLE JAMES WARE  
United States District Court Judge  
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